Nevada Revised Statutes Title 53. Labor and Industrial Relations § 613.132. Unlawful act of employer for failing or refusing to hire prospective employee based on screening test which indicates presence of marijuana; exceptions; additional screening test to rebut results of initial test

Current as of January 01, 2025 | Updated by Findlaw Staff

Except as otherwise specifically provided by law:

1. It is unlawful for any employer in this State to fail or refuse to hire a prospective employee because the prospective employee submitted to a screening test and the results of the screening test indicate the presence of marijuana.

2. The provisions of subsection 1 do not apply if the prospective employee is applying for a position:

(a) As a firefighter, as defined in NRS 450B.071;

(b) As an emergency medical technician, as defined in NRS 450B.065;

(c) That requires an employee to operate a motor vehicle and for which federal or state law requires the employee to submit to screening tests; or

(d) That, in the determination of the employer, could adversely affec

3. If an employer requires an employee to submit to a screening test employment, the employee shall have the right to submit to an addit own expense, to rebut the results of the initial screening test. The e appropriate consideration to the results of such a screening test.

4. The provisions of this section do not apply:

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(a) To the extent that they are inconsistent or otherwise in conflict with the provisions of an employment contract or collective bargaining agreement.

(b) To the extent that they are inconsistent or otherwise in conflict with the provisions of federal law.

(c) To a position of employment funded by a federal grant.

5. As used in this section, "screening test" means a test of a person's blood, urine, hair or saliva to detect the general presence of a controlled substance or any other drug.

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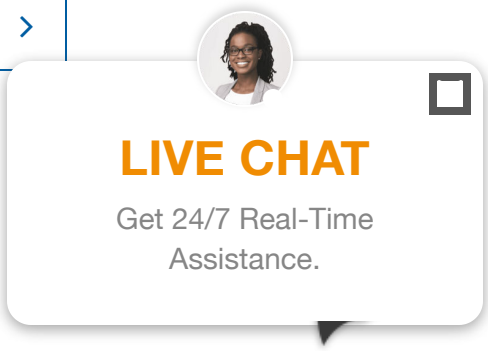

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